

61055

I. COVER SHEET (PAGE 1 OF 2)

May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Proposal Title: Fall River Cattle Exclusion Fence Demonstration Project
Applicant Name: Fall River Wild Trout Foundation
Mailing Address: 39863 ME Arthur Road, Fall River Mills, CA 96028
Telephone: (530) 336-5649
Fax: (530) 336-5649

Amount of funding requested: \$ 27,535 for 1 years

Indicate the Topic for which you are applying (check only one box). Note that this is an important decision: see page __ of the Proposal Solicitation Package for more information.

- | | |
|---|---|
| <input type="checkbox"/> Fish Passage Assessment | <input type="checkbox"/> Fish Passage Improvements |
| <input type="checkbox"/> Floodplain and Habitat Restoration | <input type="checkbox"/> Gravel Restoration |
| <input type="checkbox"/> Fish Harvest | <input type="checkbox"/> Species Life History Studies |
| <input checked="" type="checkbox"/> Watershed Planning/Implementation | <input type="checkbox"/> Education |
| <input type="checkbox"/> Fish Screen Evaluations - Alternatives and Biological Priorities | |

Indicate the geographic area of your proposal (check only one box):

- | | |
|---|---|
| <input type="checkbox"/> Sacramento River Mainstem | <input checked="" type="checkbox"/> Sacramento Tributary: <u>Pit River/Fall River</u> |
| <input type="checkbox"/> Delta | <input type="checkbox"/> East Side Delta Tributary: _____ |
| <input type="checkbox"/> Suisun Marsh and Bay | <input type="checkbox"/> San Joaquin Tributary: _____ |
| <input type="checkbox"/> San Joaquin River Mainstem | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Landscape (entire Bay-Delta watershed) | <input type="checkbox"/> North Bay: _____ |

Indicate the primary species which the proposal addresses (check no more than two boxes):

- | | |
|--|--|
| <input type="checkbox"/> San Joaquin and East-side Delta tributaries fall-run chinook salmon | |
| <input type="checkbox"/> Winter-run chinook salmon | <input type="checkbox"/> Spring-run chinook salmon |
| <input type="checkbox"/> Late-fall run chinook salmon | <input type="checkbox"/> Fall-run chinook salmon |
| <input type="checkbox"/> Delta smelt | <input type="checkbox"/> Longfin smelt |
| <input type="checkbox"/> Splittail | <input type="checkbox"/> Steelhead trout |
| <input type="checkbox"/> Green sturgeon | <input type="checkbox"/> Striped bass |
| <input checked="" type="checkbox"/> Migratory birds | |

I. COVER SHEET (PAGE 2 OF 2)

May 1998 CALFED ECOSYSTEM RESTORATION PROPOSAL SOLICITATION

Indicate the type of applicant (check only one box):


- | | |
|--|--|
| <input type="checkbox"/> State agency | <input type="checkbox"/> Federal agency |
| <input type="checkbox"/> Public/Non-profit joint venture | <input checked="" type="checkbox"/> Non-profit |
| <input type="checkbox"/> Local government/district | <input type="checkbox"/> Private party |
| <input type="checkbox"/> University | <input type="checkbox"/> Other: _____ |

Indicate the type of project (check only one box):

- | | |
|-------------------------------------|--|
| <input type="checkbox"/> Planning | <input checked="" type="checkbox"/> Implementation |
| <input type="checkbox"/> Monitoring | <input type="checkbox"/> Education |
| <input type="checkbox"/> Research | |

By signing below, the applicant declares the following:

- (1) the truthfulness of all representations in their proposal;
- (2) the individual signing the form is entitled to submit the application on behalf of the applicant (if applicant is an entity or organization); and
- (3) the person submitting the application has read and understood the conflict of interest and confidentiality discussion in the PSP (Section II.K) and waives any and all rights to privacy and confidentiality of the proposal on behalf of the applicant, to the extent as provided in the Section.



(Signature of Applicant)

II. EXECUTIVE SUMMARY

a. Project Title and Applicant Name

TITLE: Fall River Cattle Exclusion Fence Demonstration Project

APPLICANT: Fall River Wild Trout Foundation

b. Project Description and Primary Biological/Ecological Objectives

This proposal is for a demonstration cattle exclusion fencing project along the Fall River in the upper Sacramento River watershed utilizing a specially designed fence with a proven track record of exceptional durability under similar conditions. The second phase (not funded by this proposal) will be the long term replanting of the excluded zone to restore the native climax riparian vegetation. Presently, there is considerable local resistance to fencing programs because of their high failure rate and maintenance costs. As a demonstration project, the purpose is to gain acceptance and even enthusiasm within the local ranching community for cattle exclusion fences and riparian restoration.

The biological/ecological objectives are improved water quality, restoration of riparian habitat for wildlife, reduction of sediment input to streams and improved instream habitat for the aquatic ecosystem including aquatic vegetation, invertebrate populations and the fishery. Seasonal wetland habitat, instream aquatic habitat and shaded riverine aquatic habitat will be restored and improved utilizing natural processes. The improved foraging and nesting habitat will benefit a number of resident and migratory neotropical birds and waterfowl, and other resident wildlife and fish.

c. Approach/Tasks/Schedule

The proposed project will be to construct a total of 5,038 feet of fencing including 2 cattle water access points and 11 gates utilizing a highly successful design developed on the Shasta River, where the conditions creating challenges to building durable fences are very similar to the Fall River. Construction is expected to take 5 to 6 weeks, and can be started as soon as funding is available. After the fencing project is completed, the replanting of the excluded zone can begin. The goal of reestablishing the native climax riparian vegetation is expected to take a minimum of 10 years. (This second phase is not part of this funding application, it will be accomplished with volunteer labor and at the expense of the Fall River Wild Trout Foundation and should be considered matching money/in-kind labor.)

d. Justification for Project and Funding by CALFED

The existing condition is a badly degraded riparian zone of closely grazed perennial pasture with what little of the original woody vegetation being browsed and rubbed into oblivion. The gently sloping banks are raw and rapidly retreating as the cattle walk them back year after year. The ERPP recognizes erosion caused by cattle grazing as a stressor as the cattle

destroy streamside vegetation and trample the streambanks. Removing the cattle is the only way to accomplish the ERPP Implementation Objective to restore ecological processes in the upper watersheds to maintain and improve the quality and quantity of water flowing into the tributaries and rivers of the Sacramento-San Joaquin Delta and San Francisco Bay. Restoration of priority habitat for a number of priority species further justifies this proposed project for CALFED funding.

e. Budget Costs and Third Party Impacts

TOTAL COST = \$27,535

(Labor and Benefits...\$18,600; Materials...\$4,615; Miscellaneous...\$ 4,320)

There are no third party impacts.

f. Applicant Qualifications

The treasurer of the Fall River Wild Trout Foundation will be responsible for all administrative and management duties. He has had extensive experience in construction as an independent contractor and as project supervisor for large construction jobs. The subcontractor has had extensive experience in building the specific fence proposed, and in fact had major input in its design. He also has demonstrated expertise in riparian restoration.

g. Monitoring and Data Evaluation

Monitoring will be an important part of this project. The progress of the replanting program will be monitored annually and methods adjusted as necessary. Cross-sections will be monitored annually to access changes in channel/streambank morphology and instream aquatic vegetation. Components of a current USDA aquatic vegetation study including water quality monitoring will be continued. The performance in terms of failure rate and maintenance cost of the cattle exclusion fence will be monitored. The monitoring program will be conducted for a minimum of 10 years and an annual report summarizing the results will be prepared.

h. Local Support/Coordination with other Programs/Compatibility with CALFED

The Fall River Wild Trout Foundation is a locally based grassroots organization completely operated by unpaid volunteers with a membership of approximately 200 people from throughout California and the neighboring states. We are community based with local leadership. The specific purpose of the demonstration project is to generate additional local support for similar projects. We also intend to enlist local volunteers to assist in the monitoring program, especially local students. Cattle exclusion fences and riparian restoration projects are part of the overall restoration strategy recommended by the recently released Draft 205j Watershed Study.

III. TITLE PAGE

Project Title: Fall River Cattle Exclusion Fence Demonstration Project

Applicant: Fall River Wild Trout Foundation
39863 McArthur Road
Fall River Mills, CA 96028

Contact: J. Dale Dennis, President
TEL: (530) 336-5649
FAX: (530) 336-5649
or
Mike Fitzwater, Secretary
TEL: (916) 457-3837, (916) 278-6109
FAX: (916) 457-3837, (916) 278-7584
E-mail: mdf@csus.edu

Organization Type/Tax Status: Charitable Non-Profit Corporation/501 (c) (3)

Tax ID number: 68-0351791

Participants in Implementation: Fall River Wild Trout Foundation, Lead Contractor
Jim Fitzgearl, owner of Up a Creek, Subcontractor
Dennis Jacobsen, owner of the Whipple Ranch,
Cooperating Landowner

IV. PROJECT DESIGN

a. Project Description and Approach

The riparian zone along the floodplain of the Fall River in the upper Sacramento River watershed in northeastern California is in very serious need of restoration (see Figures 1 and 2). Prerequisite to any restoration is cattle exclusion fencing, but the various fencing programs to date have met with considerable resistance from the local ranchers who see high failure rates and excessive maintenance costs associated with the fencing programs tried so far. This proposal is for a demonstration cattle exclusion fencing project utilizing a specially designed fence with a proven track record of exceptional durability under the conditions found along the Fall River. A successful demonstration project can be expected to go a long way towards gaining acceptance and even enthusiasm within the local ranching community for cattle exclusion fences and riparian restoration.

Over the past ten years the Fall River has suffered a sedimentation problem that has severely impacted the aquatic ecosystem. The bulk of this recent problem was caused by sediment from a tributary watershed, but adding to the problem has been the long term chronic stream bank erosion and general degradation of the riparian corridor along Fall River itself. Nearly all the original riparian vegetation along Fall River was purposefully removed long ago for the misguided purpose of "improving" cattle grazing. Through the years, cattle have been allowed to graze the stream banks and enter the river unrestricted along most of its length with the obvious negative impact to water quality. With the additional destabilizing effects of burrowing non-native muskrats, the stream banks have suffered serious erosion and the riparian vegetation has not been able to reestablish itself. Presently, the riparian corridor is seriously degraded and offers little wildlife habitat.

It is the long term goal of the Fall River Wild Trout Foundation to have cattle excluded and the riparian corridor restored along the whole length of Fall River. While some sections have been fenced off, progress has been exceedingly slow. There is considerable resistance to the program among the ranching community, primarily because the cattle exclusion fences built to date have not been entirely satisfactory because of the high maintenance they require. The difficulty of anchoring a fence in the loose, often saturated soils of the floodplain, plus the stress of frequent flood waters and the debris they carry, present a challenge conventional fencing methods are rarely up to over the long run. The cooperating rancher is then faced with expensive and time consuming repairs, if not complete replacement--not the sort of results which promotes participation in a voluntary cattle exclusion fencing program.

A demonstration cattle exclusion fencing project that works is sorely needed at this point to bring the ranchers in the Fall River valley solidly into the program. For this proposed project, we are very fortunate to have the full cooperation and enthusiastic support of a key rancher who has become a dedicated riparian restoration proponent. Over the past several years he has begun putting up cattle exclusion fences and replanting the riparian zone. The past three years volunteers from the Fall River Wild Trout Foundation have planted several thousand willows along the 2 miles of stream bank that so far have been fenced on his ranch. However, the less than satisfactory performance of the fences built so far on his

ranch have clearly pointed out the need to come up with something better. Fortunately, a fence specifically designed to overcome the particular difficulties of Fall River has been developed and thoroughly tested on the Shasta River in Siskiyou County. The subcontractor who will be doing the construction work for us has built much of the fence along the Shasta River and has played a major role in its design. The cooperating rancher's enthusiasm for this proposed demonstration project and his confidence in this particular fence design and the subcontractor who will be building it have been a major impetus for this grant application.

The Shasta River is a low gradient meandering "meadow" stream which, except for its smaller size, is very similar to the Fall River and offers very similar challenges to the design of a durable cattle exclusion fence for protection of the riparian zone. On both rivers the fences must somehow be firmly anchored on a flood plain composed of unconsolidated fine material which is often saturated, and be strong enough to withstand the accumulation of large masses of grasses, tules, and woody debris during common flood events. In addition, with conventional fence construction the H-Brace members deteriorate rapidly, and wire sag is cumbersome to correct. Practical restoration strategy dictates that as much of the active flood plain be fenced off while preserving as much pasture as possible. This requires many turns that are often oblique, and these "dog leg" turns are prone to failure with conventional fences.

A very successful riparian restoration program initiated on the Shasta River in 1991 led to the development of a cattle exclusion fence specifically designed to overcome the problems discussed above. The main components of that fence design which has had such an impressive record of proven success is summarized in the attached Table 1.

b. Proposed Scope of Work

The proposed project will be to construct a total of 5,038 feet of fencing including 2 cattle water access points and 11 gates. Please see location map (Figure 2) and the air photos (Figures 3 and 4) for details. The construction of the cattle fence essentially consists of only one phase, and other than formalizing the contractual agreement with the subcontractor, there are no specific tasks needed to implement the project. All construction work and procurement of materials will be done by the subcontractor under the supervision of the Fall River Wild Trout Foundation, the lead contractor. The various tasks involved in building the cattle exclusion structures are inseparable, although there are two distinct sections of fence--one on each side of the river, so if only a portion of the project were funded, a possible option would be to consider funding one side or the other (at about equal cost for each).

As a follow up to the completed fencing project, the fenced off area will be replanted with native vegetation. This second phase, the restoration of the natural riparian vegetation, is not being proposed for funding and should be considered as matching funding. It is to be done with volunteer labor, with all material costs covered by the Fall River Wild Trout Foundation. The first step will be to plant willow slips, which must be done in the late winter/early spring to ensure low mortality. In the following years as the willows become established, the full range of the original riparian vegetation will be planted. The ultimate goal being the restoration of the native climax vegetation dominated by Oregon ash, black

cottonwood, aspen, and alder--a task we fully realize will easily take many years.

Construction can take place during any time of the year as long as the area is not inundated by flood waters. Total construction time is 240 hours for a crew of four, or approximately 5 to 6 weeks assuming the usual periods of inclement weather and flooding. Ideally, construction would start in this fall, but even if delayed until as late as February 1999, it is anticipated that the job will be completed by late winter/early spring of 1999 in time to begin planting the willow slips. The total cost is \$27,535 with the breakdown detailed in Part V.

c. Location and/or Geographic Boundaries of the Project

The Fall River is a very low gradient "meadow stream" which gently meanders for 22 miles through the ranching and farming lands of the Fall River Valley in the northeastern corner of Shasta County, California (see Figure 1). For much of the year it is entirely fed by the crystal clear flows of one of the largest complexes of springs in the country. It is in the upper Sacramento watershed. As a tributary to the Pit River, the Fall River ultimately contributes 18% of the average annual flow into Shasta Reservoir.

d. Expected Benefits

This project addresses multiple ecosystem issues--improved water quality, restoration of riparian habitat for wildlife, reduction of sediment input to streams and improved instream habitat for the aquatic ecosystem including the aquatic vegetation, invertebrate populations and the fishery. Seasonal wetland habitat, instream aquatic habitat and shaded riverine aquatic habitat will be restored and improved by utilizing natural processes. Key species to benefit from enhanced foraging and nesting habitat will be wading-birds, waterfowl, raptors, neotropical birds and resident fish, with some examples being osprey, bald eagles, sand hill crane, little willow fly catcher, Canada goose, mallards, teal, pintail, widgeon, tricolored blackbird, rainbow trout and Sacramento sucker. The Fall River valley provides an important stopover point for members of the waterfowl guild and neotropical migratory guild destined for the Bay-Delta.

With regard to resident fish, of particular note is the native rainbow trout, a wild strain completely sustained by natural spawning. The Fall River is renowned for providing some of the finest dry fly fishing in North America, and has long enjoyed the reputation of being a premiere wild trout fishery. In 1972 it was designated one of the original 16 streams in the California Wild Trout Program, and by many accounts it has been considered its "crown jewel". Unfortunately, over the past ten years the sedimentation problem that has severely impacted the aquatic ecosystem has caused a major decline in the wild trout fishery. The section of river we are proposing to restore lies along what is generally recognized as some of the finest trout fishing stretches of the Fall River.

Primary stressors listed in Attachment C of the PSP addressed by this project would be cattle grazing (#9) which in turn can cause the additional stressors of decreased water quality (#4), channel aggradation due to fine sediments (#3) and loss of riparian habitat and shaded

riverine aquatic habitat (#3). These stressors are recognized to result in the impairment of the suitability of fish and wildlife habitat by eliminating cover and nesting habitat, generally reducing food supplies and disrupting the foodweb by providing a less productive substrate for aquatic invertebrates. The recommended prescription as outlined in Attachment C of the PSP are the components of this proposal--cattle exclusion fencing and the rehabilitation and protection of riparian lands.

e. Background and Ecological/Biological/Technical Justification

The existing condition is a badly degraded riparian zone of closely grazed perennial pasture with what little of the original woody vegetation left being rapidly browsed and rubbed into oblivion. The gently sloped banks are raw and rapidly retreating as the cattle walk them back year after year. The recently completed Draft 205j Watershed Study identified the two banks to be fenced as among 25 problem areas on the upper Fall River (see Figure 5) and estimated the bank retreat over the past 30 years as 6 inches per year on the right bank (FR-12) and over 1 foot per year on the left bank (FR-13). It is well recognized and seldom disputed that cattle exclusion fencing is virtually an absolute requirement for restoring riparian vegetation and arresting stream bank erosion when cattle are present. There are no alternative or similar approaches to achieve comparable objectives. It is only after the cattle are excluded that replanting and other appropriate stabilization measures can have a chance of succeeding. Specifically, for the upper Fall River, the Draft 205j Watershed Study considered cattle exclusion fencing to be a cost-effective way to protect against bank erosion.

The project meets the ERPP objectives in the following ways (references are to Volume I of the Appendix to the draft Programmatic EIS/EIR of the Ecosystem Restoration Program Plan):

Section--Ecological Process Visions: (1) Implementation Objective--to restore ecological processes in the upper watersheds to maintain and improve the quality and quantity of water flowing into the tributaries and rivers of the Sacramento-San Joaquin Delta and San Francisco Bay (p. 17). Erosion resulting from cattle grazing is a recognized stressor. Loss of streamside vegetation from grazing promotes soil compaction and erosion. Trampling of streambanks causes erosion and sedimentation (p. 67). This project will remove the stressor.

Section--Species and Species Group Visions: (2) Implementation Objective--to assist in the recovery of the greater sand hill crane; Target--to increase number of sand hill cranes in the Central Valley population. This project meets the specific target by increasing wetland nesting habitat for the greater sand hill crane which nests in northeastern California (p.239, 240). (3) Implementation objective--to maintain healthy populations of wading birds; Target--to increase the numbers and distribution of wading birds. This project meets the specific target by restoring critical riparian, wetland and aquatic habitat (p.256). (4) Implementation Objective--to maintain healthy populations of waterfowl at levels that can support consumptive and nonconsumptive uses; Target--to increase the numbers and distribution of waterfowl. This project meets this specific target by restoring breeding and foraging habitat, establishing a demonstration program to provide incentives for landowner participation and improving water quality and aquatic habitat (p.260). (5) Implementation Objective--to maintain healthy populations of neotropical migratory birds to contribute to overall species

richness and diversity; Target--Increase populations of neotropical birds in the Central Valley. This project meets the specific target by restoring wetland and riparian habitats and by improving upper watershed health (p.265).

Durability of the benefits resulting from this project is the emphasis of the proposal--the primary objective is to construct a cattle exclusion fence with demonstrated durability and low maintenance. The two 100 year flood events that have occurred over the past decade (1986 and 1997) have provided clear data on what extreme conditions must be considered in the design. The restored riparian corridor is expected to provide long-term ecological and biological benefits. Once restored, the naturally functioning climax vegetation community should be naturally adapted to the normal range of environmental variability, and as such can be expected to be quasi-stable within that definition.

This is a new project. Progress to date has been to complete the design of the project in collaboration with the subcontractor and the cooperating rancher, who has given his full approval of the final design. The proposed project coordinates with the recommendations of the current watershed plan for the Fall River as outlined by the Draft 205j Watershed Study.

f. Monitoring and Data Evaluation

An ecological/biological monitoring program will be in place for a minimum of 10 years after completion of the cattle exclusion fence. Monitoring to assess the progress of the project's biological/ecological goals of restoring the natural riparian vegetation, stabilizing bank erosion, decreasing inchannel deposition and its negative effects to the aquatic ecosystem and improving water quality will be accomplished in the following ways:

- 1) The willow slips planted in the initial step of restoring the riparian vegetation will be inspected annually for mortality rates, and subsequent planting methods such as timing, depth, soil water conditions, etc. will be adjusted as necessary. Waterfowl nesting sites will also be inventoried. In the subsequent replanting stages, the rooted stock (e.g., ash, cotton wood, aspen, etc.) will be enclosed in wire baskets for beaver protection and individually tagged and inventoried. They will then be annually inspected and evaluated for mortality rates and general vigor. Photo points will be established (probably several dozen, but as many as necessary for complete coverage) with twice annual coverage--in the late spring/early summer and the late summer. The biennial high resolution positive color transparency air photo coverage flown for Fall River by DFG will also be analyzed if available. Personnel: Fall River Wild Trout Foundation members and other interested volunteers under the guidance of Jim Fitzgearl, the proposed subcontractor for this project.
- 2) Six cross sections monitored by the Fall River Wild Trout Foundation, DWR and the 205j Watershed Study consultant provide base line data for bank to bank width, bank morphology, channel morphology, channel substrate composition and aquatic vegetation. These cross sections will be monitored for at least the next ten years on an annual basis. Personnel: Fall River Wild Trout Foundation members and other interested volunteers under the direct supervision of Dr. Mike Fitzwater/Dr. Jack Mrowka, Geography Department, CSUS who have studied the sediment problem with the support of the Fall River Wild Trout

Foundation over the past 4 years. Local students will also be actively recruited to participate in the cross section monitoring.

3) Over the past 2 years, the Fall River Wild Trout Foundation has supported an aquatic vegetation study by Dr. David Spencer of the USDA Aquatic Weed Laboratory. As part of that study the aquatic vegetation within the project area was surveyed by density and species composition, and the water quality characteristics of water temperature, dissolved oxygen, pH, and specific conductance was measured hourly at the downstream end of the project area with a Datasonde III (Hydrolab Corporation, Austin, Texas) purchased by the Fall River Wild Trout Foundation. Measurements of the water quality will continue and the aquatic vegetation periodically resurveyed for post project comparisons. Personnel: Dr. Spencer will continue his study on a year to year basis, and over the long run the monitoring will be assumed by volunteers from the Fall River Wild Trout Foundation under his guidance.

The performance in terms of failure rate and maintenance costs of the cattle exclusion fence will also be monitored. An annual report summarizing the ecological/biological monitoring program and the performance of the exclusion fence will be prepared.

g. Implementability

Other than a DFG 1603 Streambed Alteration Agreement for the cattle water access points, no permits will be needed so neither a CEQA nor NEPA review will be necessary. The access points are of the standard design which routinely have been approved by DFG for the Fall River in the past, so no complications are anticipated. The project is entirely on private land, with no foreseeable negative impacts to anyone in the community, so there is no opposition. The recent awareness of the sediment problem and the resulting formation of a citizen based Watershed Group Steering Committee has heightened the awareness of the need for cattle exclusion fences and brought about at least a grudging acceptance of their inevitability among the members of the ranching community further adding to our belief that the time is right for a demonstration project. Cattle exclusion fences are part of the overall restoration strategy recommended by the 205j Study. The concept is generally well received locally, with the main obstacle being the issue of lack of durability and high maintenance.

The Fall River Wild Trout Foundation was formed in February 1995 in response to concerns over the degraded riparian corridor and the worsening sedimentation problem which was having such an adverse effect on the aquatic ecosystem. We are a locally based grassroots organization completely operated by unpaid volunteers with a membership of approximately 200 people from throughout California and the neighboring states. We are community based with local leadership--the President, Treasurer and 4 of 5 of the Board of Directors reside locally with one being the owner of one of the largest ranches in the Fall River valley (the fifth member of the Board who is also the Secretary resides locally on a seasonal basis). Our goal is to reduce the sediment load in the river and repair the riparian zone so the aquatic ecosystem can begin healing; and once restored, we are committed to permanently promoting and safeguarding its long-term health and maintenance. Towards that end we are supporting the collection of the scientific data needed to assess the problem and are carrying out restoration projects to correct it. We are firmly committed to being here for the long run.

V. COSTS AND SCHEDULE TO IMPLEMENT PROPOSED PROJECT

a. Budget costs

After detailed consultation with the cooperating landowner, the only fence design considered acceptable was the one designed for the Shasta River described above. Because of the unique nature of this fence, the proposed subcontractor is one of the few people with extensive experience building it. He also helped in its design and had the complete confidence of the cooperation landowner. For these reasons, Mr. Fitzgearl was the only acceptable potential bidder, so multiple bids were not solicited. The following budget was developed around the bid he submitted. Consultation with Jim Cook of Great Northern Corporation, who has contracted with Mr. Fitzgearl to build the same fence with grant supported funding, verified that the bid was well within their previous experience.

ITEMS FOR WHICH FUNDING IS REQUESTED

1) Direct Labor/Salary and Benefits Costs.....	18,600
Wages: 4 man* crew @ \$62/hr x 240 hrs = \$14,880 (*Subcontractor and 3 assistants)	
Benefits: Employer payroll taxes = \$3,720 (Social Security match, Workman's Comp, etc.)	
2) Indirect Overhead Labor Costs.....	0
3) Costs of Service Contracts.....	0
4) Costs of Materials.....	4,615
75 Railroad Ties, 32 12-foot Douglas Fir x, 360 Metal T Posts, 20 Rolls Barbed Wire, 600 Fence Stays, 1800 Fence Clips, 11 12-Foot Gates, 50 Hayes Tensioners, 40 feet 1/2" Threaded Stock with 50 Nuts and 100 Washers, 1 Roll High Tensile Wire, 1 Box Crimp Sleeves, 200 3/8" x 5" Galvanized Pins, 15 cubic yards of Cinders.	
5) Miscellaneous and other Direct Costs.....	4,320
Machine Time: Kubota "Bobcat" Excavator @ \$44/hr x 30 hrs = \$1,320 2 Cattle Water Access Points (Fencing Panels, Cinderead Path, Labor) = \$3,000	
TOTAL.....	\$27,535

ITEMS INVOLVING MATCHING FUNDS/IN KIND VOLUNTEER LABOR

- 1) The Fall River Wild Trout Foundation will be responsible for the overhead costs of overall management of the project including all administrative and management costs such as on-site inspections, payments to suppliers for all materials, payroll book keeping costs and any other cost associated with the project not detailed above.
- 2) The total cost of the second phase of the project--restoring the native climax riparian vegetation community will be covered by the Foundation including materials and labor. The Foundation has planted several thousand willow slips on other sections of this ranch over the past 3 seasons all with volunteer labor. It should be noted that those willow planting efforts were led by Jim Fitzgearl, the subcontractor for this project, who generously volunteered his time. He has also volunteered his time to guide the vegetation restoration phase of this demonstration project after the fencing is completed.
- 3) The Fall River Wild Trout Foundation will be responsible for the cost of the long term ecological/biological monitoring program. Components of the monitoring program have been ongoing by the Foundation over the past three years providing valuable base line measurements.

b. Schedule Milestones

Ideally, the project would start this fall, but can take place during any time of the year as long as the area is not inundated by flood waters. Total construction time is expected to be approximately 5 to 6 weeks. The project consists of two separate sections of fence of approximately equal length, one on each side of the river. The section on the right (south) bank will be completed before construction starts on the left bank fence. Completion of the right bank fence defines a convenient milestone. At that time, approximately 3 weeks after construction begins, if all terms of the agreement with the subcontractor are met he will receive payment for all materials, wages and other expenses incurred to date, or half of the estimated costs, whichever is less.

Upon completion of the second section of fence approximately 3 weeks later, the subcontractor will receive the second and final payment for the completed project.

Replanting the fenced off riparian zone will begin in the late winter/early spring (approximately March 15) of 1999 with the planting the willow slips. Once the willows are established the long term task of reestablishing the native climax vegetation will begin.

c. Third Party Impacts

No third party impacts are anticipated.

VI. APPLICANT QUALIFICATIONS

All the construction and procurement of materials including delivery to the site will be done by the subcontractor, Jim Fitzgearl, and his work crew. The project will be administered and the construction work overseen by the lead contractor, the Fall River Wild Trout Foundation. Tom Smith, the treasurer of the Foundation will be responsible for all administrative and management duties including making payments for all materials, salaries, labor overhead and any other cost associated with the project. He will also be responsible for inspecting the quality of the materials and the workmanship. We also anticipate working very closely with the cooperating landowner, although he will not play a formal role in the management of the project.

- A. Subcontractor Qualifications: Jim Fitzgearl is the owner of Up A Creek, a small restoration company dedicated to conserving, preserving and restoring Northern California's forests, wetlands, and waterways. He works primarily with non-profit organizations, environmental planners, private landowners, state and federal agencies, and CRMPs. He is involved from concept and design to implementation of each project, and he takes pride in listing himself as a working crew member. From 1988 to the present he has worked with Great Northern Corporation, a non-profit based in Yreka where he has been field supervisor of a habitat restoration crew responsible for the implementation of their habitat projects and for meeting agency and landowner expectations while remaining in budget. The projects have included instream fisheries habitat modification, biotechnical bank stabilization, trail construction, riparian habitat restoration and plantings. He has also developed several unique bank stabilization, riparian planting and fencing techniques. The following is a list of projects which Mr. Fitzgearl has undertaken. The list is not complete, but is intended to be representative of his expertise and experience.

YREKA CREEK STABILIZATION

Client: California Department of Fish and Game/Great Northern Corporation

Description: Construction of bank stabilization structures and riparian planting

YREKA GREENWAY

Client: California Department of Water Resources/Great Northern Corporation

Description: Greenway trail construction

MT. SHASTA GREENWAY

Client: City of Mt Shasta

Description: Construction of greenway trail and wetlands restoration

BEAR CREEK, FALL RIVER VALLEY

Client: 1000 Springs Ranch

Description: Bear Creek meadow wetland restoration, bank stabilization, riparian planting

WILDLIFE HABITAT PONDS, MT. SHASTA AND FALL RIVER

Client: City of Mt. Shasta and Circle 7 Ranch, Fall River

Description: Construction of wildlife habitat ponds and riparian planting

CANTARA PROJECTS

Client: Cantara Trust Council

Description: Ney Springs and Upper Sacramento riparian restoration projects, including toxic spill cleanup, replanting and plant maintenance.

SHASTA RIVER PROJECTS

Client: Various State and Federal Agencies/Great Northern Corporation

Description: Livestock exclusion fencing, instream habitat modification, bank stabilization, riparian planting.

- B. Lead Contractor's Qualifications: Tom Smith has been the treasurer of the Fall River Wild Trout Foundation since its formation in February 1995 so is very familiar with our financial structure. By profession he is a ceramic tile setter and contractor. Formerly from the San Francisco Bay area, he has had complete responsibility for the management of many large jobs while working as project superintendent for large construction firms; and as an independent contractor he has had the experience of managing his own company. His experience ranges from the viewpoint of a working member of the trades to a project manager and contractor. He knows the construction business.
- C. There are no potential conflicts of interest.

VII. COMPLIANCE WITH STANDARD TERMS AND CONDITIONS

The appropriate forms enclosed in the PSP as attachment E have been filled out and included in this application. The terms and conditions are agreeable and will be complied with.

Table 1. Specifications for the Shasta River Cattle Exclusion Fence

- 1) H-Brace Posts--9 foot #1 Railroad Tie (hand picked); H-Brace X-Members--10 foot Douglas Fir 4x4.
- 2) Metal Line Posts--6 foot Heavy Duty T-Posts @ 12-15 foot spacing set to a depth of 18-24 inches.
- 3) Wood Line Posts--8 foot #1 Rail Road Tie (hand picked) @ 60-75 foot spacing.
- 4) Strands of 12 gauge 4 point Red Brand barbed wire providing less stretch and long, sharp, consistent barbs.
- 5) 48 inch twisted wire stays between metal posts.
- 6) In line improved H-Brace used where ever a single straight line section exceeds 300 feet (see below).
- 7) Corners secured by improved four post H-Brace design (see below).
- 8) Improved H-Brace Design:

A. Solidly Secured H-Brace Posts

THE PROBLEM: The flood plain is often covered with a good sod layer so surface erosion is not a problem, but the often saturated unconsolidated fine grained soils make securing posts difficult.

THE SOLUTION: All H-Brace posts are set 4 feet deep and 75% tamped with 2 inch washed leach rock. The remaining hole filled with native soil with a suitable rock collar compacted for scour prevention..

B. More Durable H-Brace Posts

THE PROBLEM: Posts often crack and nails deteriorate with conventional nailing, especially with toe nailing.

THE SOLUTION: All H-Brace posts are drilled and internally pinned together with 3/8 inch diameter steel pins. The pins are thicker than nails, and are without any surface exposure to promote deterioration. The obvious problems with toe nailing are eliminated.

C. Improved Diagonal Tension Member Design

THE PROBLEM: Conventional diagonal tension members of twisted barbed wire secured with staples quickly loosen and are difficult to retighten, essentially becoming nonfunctional.

THE SOLUTION: Double wrap 12 gauge galvanized high tensile fence wire with a tightening ratchet is used for the diagonal tensioner and the wire is located on the posts with galvanized steel pins. (For corner H-Braces only one diagonal tension member is used--from the bottom of the corner post to the top of the opposite post. The second diagonal running in the opposite direction often seen on conventional fences does not pull against the fence and serves no purpose. For in-line H-Braces double diagonal tension members are used.)

D. Improved Four Post Corner H-Brace Design

THE PROBLEM: Corners with conventional double H-Braces are potential weak points, and for corners at oblique angles less than 90 degrees there is almost certain failure with this conventional design. The usual strengthening methods--deadmen and compression members-- are less than satisfactory. With the construction of a deadman the diagonal wire catches debris, and the cattle use compression members as scratchers.

THE SOLUTION: Eliminate corners altogether by simply butting together two straight runs ending in H Braces. For runs of over 600-700 feet double/double H-Braces are used, or the horizontal brace is lengthened from 8 feet to 12 feet. By building a series of straight fences, this design has eliminated the physics that plague other fence structures. By ending the wire at each end brace, not one continuous run for wire around several corners, the constant uplifting and physical pull on a normal 3 post corner is eliminated.

GEOGRAPHIC SCOPE OF RFP PROGRAMS AND PROJECTS

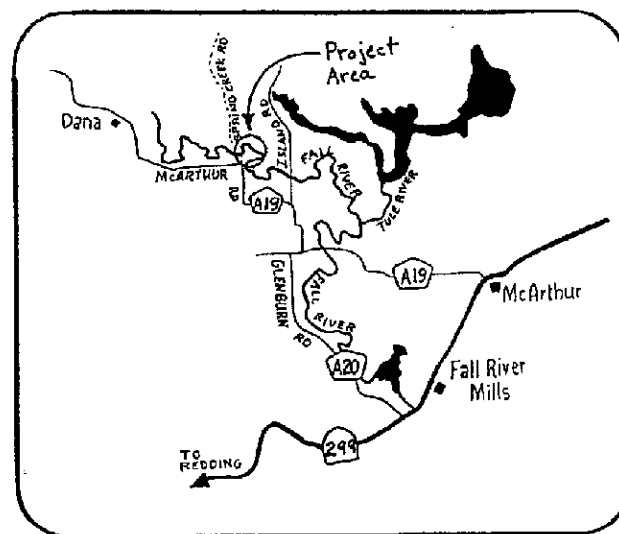
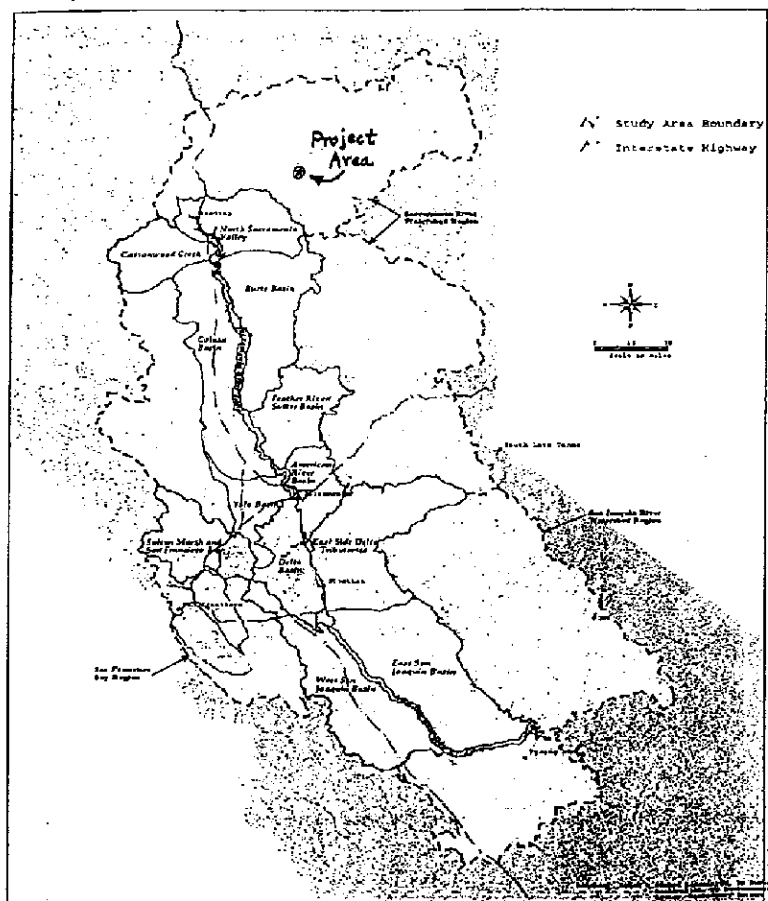


FIGURE 1. Location Map

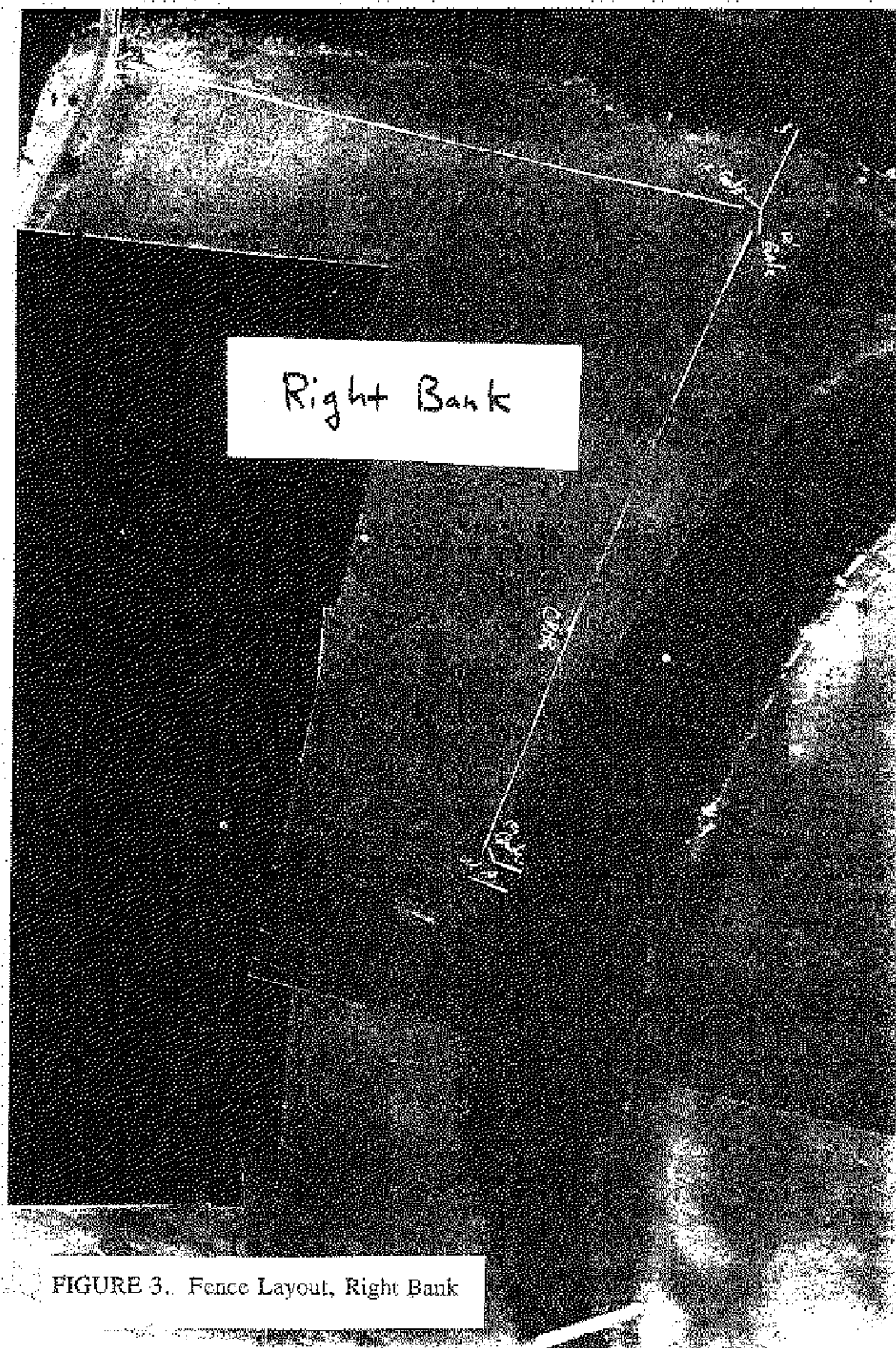
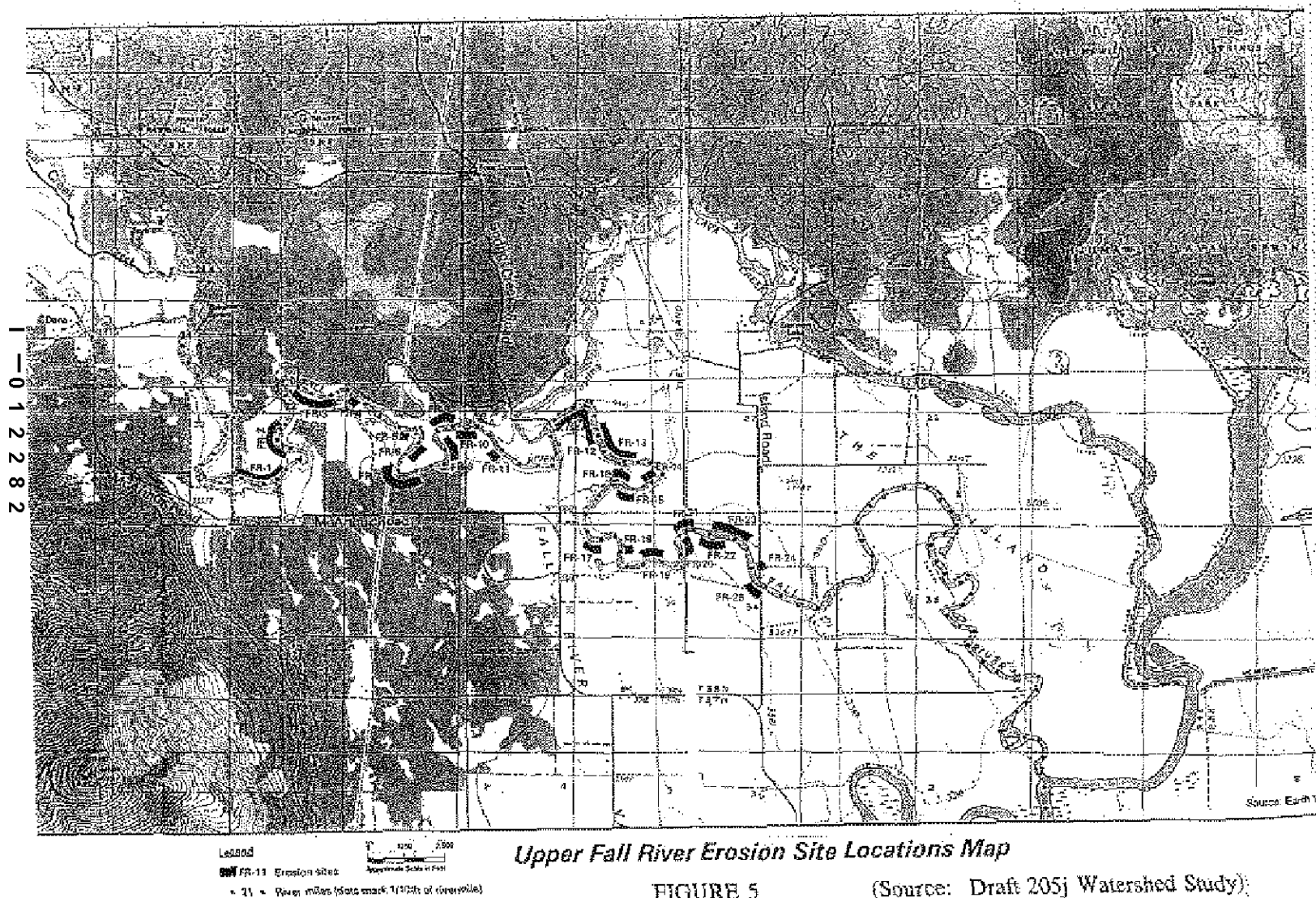


FIGURE 3. Fence Layout, Right Bank

Left Bank

FIGURE 4. Fence Layout, Left Bank

FIGURE 4. Fence Layout, Left Bank



U.S. Department of the Interior

**Certifications Regarding Debarment, Suspension and
Other Responsibility Matters, Drug-Free Workplace
Requirements and Lobbying**

Persons signing this form should refer to the regulations referenced below for complete instructions:

Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions - The prospective primary participant further agrees by submitting this proposal that it will include the clause titled, "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions. See below for language to be used or use this form for certification and sign. (See Appendix A of Subpart D of 43 CFR Part 12.)

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions - (See Appendix B of Subpart D of 43 CFR Part 12.)

Certification Regarding Drug-Free Workplace Requirements - Alternate I. (Grantees Other Than Individuals) and Alternate II. (Grantees Who are Individuals) - (See Appendix C of Subpart D of 43 CFR Part 12)

Signature on this form provides for compliance with certification requirements under 43 CFR Parts 12 and 18. The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of the Interior determines to award the covered transaction, grant, cooperative agreement or loan.

PART A: Certification Regarding Debarment, Suspension, and Other Responsibility Matters - Primary Covered Transactions

CHECK ☒ IF THIS CERTIFICATION IS FOR A PRIMARY COVERED TRANSACTION AND IS APPLICABLE.

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency;
- (b) Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

PART B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions

CHECK ☒ IF THIS CERTIFICATION IS FOR A LOWER TIER COVERED TRANSACTION AND IS APPLICABLE.

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DI-2010
June 1986
(This form replaces DI-1953, DI-1954,
DI-1955, DI-1959 and DI-1963)

PART C: Certification Regarding Drug-Free Workplace Requirements

CHECK ☒ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS NOT AN INDIVIDUAL.

Alternate I. (Grantees Other Than Individuals)

A. The grantee certifies that it will or continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an ongoing drug-free awareness program to inform employees about—
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will —
 - (1) Abide by the terms of the statement; and
 - (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted —
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the sites for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Whipple Ranch, Fall River Valley
Fall River Mills, CA 96028

Check ☐ if there are workplaces on file that are not identified here.

PART D: Certification Regarding Drug-Free Workplace Requirements

CHECK ☐ IF THIS CERTIFICATION IS FOR AN APPLICANT WHO IS AN INDIVIDUAL.

Alternate II. (Grantees Who Are Individuals)

- (a) The grantee certifies that, as a condition of the grant, he or she will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant;
- (b) If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, he or she will report the conviction, in writing, within 10 calendar days of the conviction, to the grant officer or other designee, unless the Federal agency designates a central point for the receipt of such notices. When notice is made to such a central point, it shall include the identification number(s) of each affected grant.

DI-2010
June 1996
[This form replaces DI-1983, DI-1954,
DI-1966, DI-1968 and DI-1987]

PART E: Certification Regarding Lobbying
Certification for Contracts, Grants, Loans, and Cooperative Agreements

CHECK IF CERTIFICATION IS FOR THE AWARD OF ANY OF THE FOLLOWING AND THE AMOUNT EXCEEDS \$100,000: A FEDERAL GRANT OR COOPERATIVE AGREEMENT; SUBCONTRACT, OR SUBGRANT UNDER THE GRANT OR COOPERATIVE AGREEMENT.

CHECK IF CERTIFICATION IS FOR THE AWARD OF A FEDERAL LOAN EXCEEDING THE AMOUNT OF \$150,000, OR A SUBGRANT OR SUBCONTRACT EXCEEDING \$100,000, UNDER THE LOAN.

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

As the authorized certifying official, I hereby certify that the above specified certifications are true.


SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

Michael Fitzwater, Secretary, Fall River Wild Trout Foundation

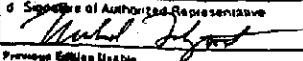
TYPED NAME AND TITLE

DATE July 2, 1998

Figure 1
Standard Form 424

**APPLICATION FOR
FEDERAL ASSISTANCE**

OMB Approval No. 0348-0043

1. TYPE OF SUBMISSION: Application <input type="checkbox"/> Preapplication <input type="checkbox"/> <input checked="" type="checkbox"/> Construction <input type="checkbox"/> Construction <input type="checkbox"/> <input type="checkbox"/> Non-Construction <input type="checkbox"/> Non-Construction		2. DATE SUBMITTED July 2, 1998		Applicant Identifier N/A	
3. DATE RECEIVED BY STATE N/A		State Application Identifier N/A			
4. DATE RECEIVED BY FEDERAL AGENCY		Federal Identifier			
5. APPLICANT INFORMATION					
Legal Name: Fall River Wild Trout Foundation			Organizational Unit:		
Address (give city, county, state, and zip code): 39863 m5 Arthur Road Fall River Mills, CA 96028			Name and telephone number of person to be contacted on matters involving this application (give area code): Mike Fitzwater (916) 457-3887		
6. EMPLOYER IDENTIFICATION NUMBER (EIN): 68 - 0351791			7. TYPE OF APPLICANT: (enter appropriate letter in box) <input type="checkbox"/>		
8. TYPE OF APPLICATION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision If Revision, enter appropriate letter(s) in box(es) <input type="checkbox"/> <input type="checkbox"/> A. Increase Award B. Decrease Award C. Increase Duration D. Decrease Duration Other (specify):			A. State H. Independent School Dist. B. County I. State Controlled Institution of Higher Learning C. Municipal J. Private University D. Township K. Indian Tribe E. Interstate L. Individual F. Intermunicipal M. Profit Organization G. Special District N. Other (Specify) <u>Charitable Non-Profit Corporation</u>		
10. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER: TITLE: N/A			11. DESCRIPTIVE TITLE OF APPLICANT'S PROJECT: Environmental Restoration Construction of cattle exclusion fence from riparian zone		
12. AREAS AFFECTED BY PROJECT (Cities, Counties, States, etc.): Fall River Valley, Shasta Co., CA			9. NAME OF FEDERAL AGENCY:		
13. PROPOSED PROJECT		14. CONGRESSIONAL DISTRICTS OF:			
Start Date Fall 1998	Ending Date SEP 1999	a. Applicant Fall River Wild Trout Foundation		b. Project Demonstration Cattle Exclusion Fence	
15. ESTIMATED FUNDING:		16. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?			
a. Federal	\$ 27,535.00	a. YES, THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:			
b. Applicant	\$ 3,000.00	DATE _____			
c. State	\$.00	b. NO. <input type="checkbox"/> PROGRAM IS NOT COVERED BY E.O. 12372			
d. Local	\$.00	<input type="checkbox"/> OR PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW			
e. Other	\$.00	17. IS THE APPLICANT DELINQUENT ON ANY FEDERAL DEBT?			
f. Program Income	\$.00	<input type="checkbox"/> Yes If "Yes," attach an explanation. <input checked="" type="checkbox"/> No			
g. TOTAL	\$ 30,535.00	18. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT, THE DOCUMENT HAS BEEN ONLY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.			
a. Type Name of Authorized Representative Michael Fitzwater		b. Title Secretary, FRWTF		c. Telephone Number (916) 457-3837	
d. Signature of Authorized Representative 		e. Date Signed July 2, 1998			

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Standard Form 424 (REV. 4-82)
Prescribed by OMB Circular A-101

Figure 5
Standard Form 424D

OMB Approval No. 0348-0042

ASSURANCES — CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant I certify that the applicant:


1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the Federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure non-discrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or State.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
8. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
9. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
10. Will comply with all Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683, and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255), as amended, relating to non-discrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to non-discrimination in the sale, rental or financing of housing; (i) any other non-discrimination provisions in the specific statute(s) under which application for Federal assistance is being made, and (j) the requirements on any other non-discrimination Statute(s) which may apply to the application.

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Standard Form 424D (Rev. 4/82)
Prescribed by OMB Circular A-102

Figure 5
Standard Form 424D (cont'd.)

11. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
12. Will comply with the provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
13. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), the Copeland Act (40 U.S.C. § 276c and 18 U.S.C. § 874), the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333) regarding labor standards for federally assisted construction subagreements.
14. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
15. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
16. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
17. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§ 469a-1 et seq.).
18. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
19. Will comply with all applicable requirements of all other Federal laws, Executive Orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Secretary
APPLICANT ORGANIZATION Fall River Wild Trout Foundation	DATE SUBMITTED July 2, 1998

SF 424D (Rev. 4/92) Back

Figure 4
Standard Form 424C

BUDGET INFORMATION — Construction Programs				OMB Approval No. 0348-0041
NOTE: Certain Federal assistance programs require additional computations to arrive at the Federal share of project costs eligible for participation. If such is the case you will be notified.				
COST CLASSIFICATION		a. Total Cost	b. Costs Not Allowable for Participation	c. Total Allowable Costs (Column a-b)
1.	Administrative and legal expenses	\$ 0 .00	\$.00	\$.00
2.	Land, structures, rights-of-way, appraisals, etc.	\$ 0 .00	\$.00	\$.00
3.	Relocation expenses and payments	\$ 0 .00	\$.00	\$.00
4.	Architectural and engineering fees	\$ 0 .00	\$.00	\$.00
5.	Other architectural and engineering fees	\$ 0 .00	\$.00	\$.00
6.	Project inspection fees	\$ 0 .00	\$.00	\$.00
7.	Site work	\$ 0 .00	\$.00	\$.00
8.	Demolition and removal	\$ 0 .00	\$.00	\$.00
9.	Construction	\$ 27,535 .00	\$.00	\$.00
10.	Equipment	\$ 0 .00	\$.00	\$.00
11.	Miscellaneous	\$ 0 .00	\$.00	\$.00
12.	SUBTOTAL (sum of lines 1-11)	\$ 27,535 .00	\$.00	\$.00
13.	Contingencies	\$ 0 .00	\$.00	\$.00
14.	SUBTOTAL	\$ 27,535 .00	\$.00	\$.00
15.	Project (program) income	\$ 0 .00	\$.00	\$.00
16.	TOTAL PROJECT COSTS (subtract #15 from #14)	\$ 27,535 .00	\$.00	\$.00
FEDERAL FUNDING				
17.	Federal assistance requested, calculate as follows: (Consult Federal agency for Federal percentage share). Enter the resulting Federal share.	Enter eligible costs from line 16c. Multiply X ____ %		\$.00

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